IN THE HIGH COURT OF UTTARANCHAL
AT NAINITAL
Writ Petition No. 968 of 2005 (S/S)

Harjeet Singh
S/o Shir Avtar Singh
R/o 14/2 Lunia Mohalla, Dehradun
District Dehradun … Petitioner

Versus

1. State of Uttaranchal through
   Secretary, Education, Civil Secretariat
   Uttaranchal, Dehradun
2. Director of Education
   Dehradun
3. Principal
   Government Junior High School, Jaintanwala
   Block Sahaspur
   District Dehradun … Respondents

Sri Ramji Srivastava, learned counsel for the petitioner.
Sri Paresh Tripathi, learned standing counsel for the State.

Hon'ble B.C. Kandpal, J.

By means of this writ petition a relief has been sough in the nature of certiorari quashing the impugned transfer order dated 30.06.2005 (annexure No. 3 to the petition) passed by the respondent No. i.e. District Education Officer, Dehradun.

Brief facts giving rise to the petition are that the petitioner was appointed as Assistant Teacher in Primary School Dirnad, Tehsil Chakrata, District Dehradun *(Ati Durgam Area)* in the year 1993. Thereafter, the petitioner was transferred to various places.

Now, on 30.06.2005, the District Education Officer, Dehradun passed an order, by which he has transferred the petitioner from Junior High School, Jaintanwala, Block Sahaspur, District Dehradun to Junior High School, Koruba, Tehsil, District Dehradun on the ground of "irrelevant subject".

Feeling aggrieved by the aforesaid transfer order, the petitioner has preferred this writ petition before this Court.

Heard learned counsel for the petitioner and perused the record.

Learned counsel for the petitioner has further invited my attention towards the Government Order No. 718/XXIV(2)/2005 dated 13.05.2005 providing the Rules of Transfer of Teaching relating to Basic and Secondary Education.

I do not find any ground to interfere in the transfer order passed by the respondent No. 2.

The record shows that the petitioner has already made a representation before the respondent No. 2 i.e. District Education Officer, Dehradun on 16.07.2005 which has been filed as annexure 7 to the petition and the representation is yet to be decided.

Accordingly, the respondent No. 2 is directed to decide the representation of the petitioner dated 16.07.2005 provided the petitioner shall file the certified copy of the judgment passed by this Court within a period of 15 days and the respondent No. 2 shall thereafter decide the representation of the petitioner in the light of the Government Order dated 13.05.2005 within a period of 15 days by passing the speaking and reasoned order.

With the aforesaid observations, the writ petition is finally disposed of.

(B.C. Kandpal, J.)

16.07.2005
ASWAL